

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,
THE STATES OF ARKANSAS,
CALIFORNIA, COLORADO,
CONNECTICUT, DELAWARE, FLORIDA,
GEORGIA, HAWAII, ILLINOIS,
INDIANA, IOWA, LOUISIANA,
MARYLAND, MASSACHUSETTS,
MICHIGAN, MINNESOTA, MISSOURI,
MONTANA, NEVADA, NEW
HAMPSHIRE, NEW JERSEY, NEW
MEXICO, NEW YORK, NORTH
CAROLINA, OKLAHOMA, RHODE
ISLAND, TENNESSEE, TEXAS,
VERMONT, VIRGINIA, WASHINGTON,
WISCONSIN AND THE DISTRICT OF
COLUMBIA

EX REL. KRYSTA MANGRUM,

PLAINTIFFS AND RELATOR,

v.

LABORATORY CORPORATION OF
AMERICA HOLDINGS (LABCORP),
NORTH GEORGIA HEALTH CENTER
(NGHCC), NGHCC CHIEF
EXECUTIVE OFFICER DELAINE
HUNTER, AND NGHCC MEDICAL
DIRECTOR DR. GARY SMITH

DEFENDANTS.

Civil Action No.

1:18-cv-3121-SCJ

ORDER

WHEREAS the United States of America (the “United States”) and the State of Georgia have partially intervened in this action with regard to allegations against defendants North Georgia Health Center (NGHCC) and NGHCC Chief Executive Office Delaine Hunter (Hunter) for the purpose of effectuating settlement agreements between the United States, the State of Georgia, the Relator and the above-named defendants;

WHEREAS the United States and State of Georgia have declined to intervene in this action as to claims asserted by the Relator on behalf of the State of Georgia against Defendants Laboratory Corporation of America Holdings (LabCorp) and NGHCC Medical Director Dr. Gary Smith (Smith); and

WHEREAS the remaining Plaintiff States have declined to intervene in this action as to all Defendants;

WHEREAS the United States, Georgia and the Relator have filed a joint stipulation of dismissal, with consent of the remaining Plaintiff States.

IT IS HEREBY ORDERED as follows:

1. This case is reopened and placed on the Court's active docket.
2. Consistent with the terms of the settlement agreement between

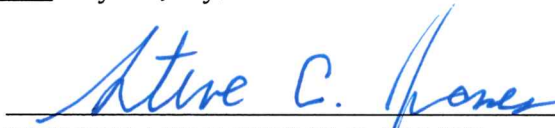
The United States, the State of Georgia, the Relator and Defendants NGHCC and Hunter, the claims asserted by the Relator on behalf of the United States and Georgia against NGCHH and Hunter that are based on the Covered Conduct as defined in Recital D of the Settlement Agreement are dismissed with prejudice. Recital D of the Settlement Agreement specifically provides as follows:

D. The United States and Georgia contend that they have certain civil claims against Defendants NGHC and Delaine Hunter (“Defendants”) arising from causing the submission of false claims for prescriptions of Schedule II controlled substances that were not medically necessary during the period from January 1, 2012, through September 10, 2018. That conduct is referred to below as the “Covered Conduct.”

3. The remaining claims asserted by the Relator on behalf of the United States and Georgia against Defendants NGHCC and Hunter are dismissed with prejudice to the Relator and without prejudice to the United States and Georgia.
4. The claims asserted by the Relator on behalf of the United States and Georgia against Defendants LabCorp and Smith are dismissed without prejudice to the United States, Georgia and the Relator.

5. The claims asserted by the Relator on behalf of the remaining Plaintiff States against Defendants are dismissed without prejudice to the Plaintiff States.
6. The seal shall be lifted as to this Order, the Joint Stipulation of Dismissal in Part (Doc. No. [15]), the Joint Notice of Election to Intervene in Part (Doc. No. [14]), and the Complaint (Doc. No. [1]). All other contents of the Court's file and associated docket entries (including the electronic CM/ECF docket report) in this action shall remain under seal and shall not be made public or served upon Defendants, except as otherwise provided by the Court.
7. The Clerk is DIRECTED to enter the Voluntary Dismissal and terminate this civil action.

IT IS SO ORDERED, this 29th day of July, 2021.


HONORABLE STEVE C. JONES
UNITED STATES DISTRICT JUDGE

Presented by:


Paris Wynn
Assistant United States Attorney